



HARBOR COMMISSION MINUTES MEETING OF AUGUST 15, 2012

A regular meeting of the Manistee Harbor Commission was held on Wednesday, August 15, 2012 at 1:00 p.m. in the Second Floor Conference Room, City Hall, 70 Maple Street, Manistee MI 49660.

Roll Call	Present	Excused Absence	Unexcused Absence
Commissioner Bachman		✓	
Commissioner Cook	✓		
Commissioner Kriskywicz	✓		
Commissioner Schrock	✓		
Commissioner Seng	✓		
Commissioner Spencer	✓		
Commissioner Zielinski	✓		
City Manager Mitch Deisch		✓	

OTHERS PRESENT: Marina Manager Frank Post

APPROVAL OF AGENDA

MOTION by Schrock, second by Seng to approve the agenda as presented. All in favor, motion carried.

PUBLIC COMMENTS ON AGENDA ITEMS

None.

APPROVAL OF MINUTES

MOTION by Seng, second by Schrock to approve the minutes for the July 11, 2012 meeting as presented. All in favor, motion carried.

STAFF REPORTS

Harbormaster. Not in attendance.

Roger Zielinski arrived at 1:10 p.m.

Marina Manager. Frank Post reviewed his marina report as of August 1, 2012. Report will be placed in the Harbor Commission correspondence file. Report addressed number of boat days, number of boats, seasonal dockage and boater surveys for 2012. Numerous questions and comments by Harbor Commission members were addressed by Mr. Post. Discussed reviewing the survey card to tweak it to gather information desired. Discussed sharing information gathered with the Downtown Development Authority (DDA). Discussed cost of adding CATV to slips. Mr. Post will be adding staff hours and sales information to future reports.

COMMITTEE REPORTS

Marketing & Promotion Committee. Ty Cook is waiting for direction or a request to assist from Dave Bachman on how the M&P Committee can assist. New budget now in effect, he does not know what amount was approved for this year. New ordinance makes this commission advisory only and Mr. Cook has not been asked for any marketing advice. His advice would be that funds should continue to be spent on marketing and promotions. Has heard no update on arrangements for the Hops & Props event being held by the DDA and any marina or Harbor Commission involvement regarding the boat show arrangements or any displays in the open space at the marina facility.

UNFINISHED BUSINESS

Marina Building – Final Cost Numbers. Mr. Cook distributed his last communication (dated 8/15/12) on behalf of this committee. The report includes Mr. Cook's questions and comments on various responsibilities regarding the marina construction project. He also noted that Mr. Post has expressed his concern to him regarding several future maintenance items. Mr. Cook wants clarification on where Mr. Post's and the Harbor Commission's responsibilities lie for unresolved issues. The responsibility for clarification falls with Bachman.

MOTION by Cook, second by Zielinski, that the Punch List Committee be terminated at this point and that this last report be included in the minutes of this meeting in its entirety. Following discussion, all in favor, motion carried.

The following four pages are scanned photos of the August 15, 2012 report from Ty Cook.



8/15/12

Harbor Commissioners & City staff

The attached lists the residue of all previous the residue which remains from all previous lists as well as a few new items.

Also it should be of concern that there are many items of maintenance/repair which are being handled by marina staff which may not be their responsibility as well as other maintenance/repair items which need to be addressed by others.

. Ty Cook

PUNCH LIST

Items noted as M. Item is or will become a maintenance issue.
W. Work in progress
O. Not resolved or not addressed
X. COMPLETE and 100% acceptable
(5)-most / (1)-least LEVEL OF ACCEPTANCE

Exterior:

General

Installation of handrails on ramps and stairs is unacceptable.
Pavers broken and uneven. (O)
Seal nail holes in all trim boards. (5)
Open holes remain in trim above door to street level women's room.
Clean-up limestone caps. (X)
Limestone has been cleaned but is becoming dirty/stained where unprotected by the marina building structure above.

East Elevation

Scrape/remove excess mortar from all exposed masonry. (3)
and re-point joints as required for proper continuity and appearance. (2)
A structural crack has developed in the masonry wall at the stair to the Mechanical Room. Movement of the wall and settlement of the adjacent curb and paving are taking place as evidenced by the nature of the crack between the curb and the West face of the masonry retaining wall. (?)
The crack in masonry has been pointed. The opening between curb and masonry has been caulked. The condition seems to be have been stabilized.
A gap exists between the retaining wall masonry and the building foundation wall allowing erosion of soil from behind retaining wall. (O)
Correct grade at grassed "patio" area. Existing grade at slopes to building. (W?)
Funds withheld from final payment will be used to remove sod and re-grade area. Patio concrete work is being solicited.
NO progress. This area looks like crap and is basically not useable as was intended.

South Elevation

Improve drainage from drinking fountains. (?)M
NO progress. Now no drainage at all. Remains unsightly, unsanitary, etc. etc.

Lower Level Interior:

General

Complete final programming of HVAC. Instruct staff as to operation and controls (?)M
Locate access "keys" for privacy locks. (O)M

Mechanical Room 102

Install escutcheons or seal around all penetrations in masonry walls. (4)

Men's Room 104

- Relocate floor stop with wall stop. (W)
 Exposed drain piping in floor under center sink? (O)
"Staining" of the surface of the men's room door (and others?) has proven impossible to remove to this point. (O)

Showers 107**General:**

- Shower curtain rods are too low (6'-0"). Code violation (no?)/safety issue remains. (O)
 Shower curtains hang on floor. Sanitary and maintenance problem. (O)M

Children's Lounge 108**Laundry 109**

- Raise floor drain to finish floor elevation. (O)

Upper Level Interior:**Lobby 201****Men's Room 202**

- See "General"
 Pull hardware on entry door installed out of plumb. (O)

Janitor 209

- See "Interior/General"
 Paint repaired gap in drywall at edge of switch cover plate. (O)M
 Base board to floor-joint is open. (O)

Meeting Room 211

- Add shoe molding trim to base at wood floors to close gap. (O)

Deck Area

- Replace components damaged during remedial work. (W)
 Verify deck and waterproofing systems are per drawings and specifications. (W)
Funds withheld from final payment are being used to perform additional remedial work. Membrane and decking are to be replaced.

The deck/membrane system has been an issue of concern beginning with our 1st punch list (dtd 8/25/11)

Who was responsible for seeing that it was done properly the 1st time?.

When the membrane system failed, it was reworked by the contractor.

Who was responsible for seeing it was done properly the 2nd time??

\$5,950.00 was spent by the city to have this deck/membrane system replaced AGAIN!

Who was responsible for seeing it was done properly the 3rd time??

When Cole was "charged" \$2,617.00 for "punch list items not yet completed", did that absolve him of any liability imposed by the guarantee period structured by the original contract?

If so, it was one hell of a deal for Mr. Cole!!!!!! Let's see, a charge of \$2,617.00 to walk away from the guarantee requirements of a \$1,100,000.00 contract!!!!!!!!!!!!

Were his subcontractors and suppliers also "let of the hook"?!

New items:

Thumb locks on interior of restroom doors.
 Completion of remedial deck work: trim, caulking, etc.
 Automatic flush systems on water closets.
 Doors rubbing on thresholds.
 Weather stripping at sill of street level entry door.
 Crack in concrete @handicapped ramp. Saw cutting needed.
 Caulk missing at west casing/siding at boater's entry door

TYPES 2 & 3

- Items noted as 2. Completion is necessary but item is beyond scope of Cole contract.
 3. " " " " desirable " " " " " " " " " " " "
 4. Item requires future consideration.
 R. Item requires research re: options vs expense.
 X. COMPLETE: 100% acceptable)
 W. Work in progress

Note: Some items from previous lists which appear to have been addressed have been eliminated.

Exterior:

General

1. Install DFIS to porch base, mechanical room stair retaining wall and wall base. 3 ()
 Effort to cover joints at DFIS to limestone caps is unacceptable.

East Elevation

3. Add gutter/downspout above "ice machine" (Bulletin required). 3,4 ()

North Elevation

4. Review possible flag pole improvements. Flag pole too short or in wrong 3,4 ()
 location, has broken cleat, and flag that is not proportionate.

Interior:

General

6. Provide Barrier Free coat hooks in open toilet room areas. 3 ()

Lounge 101

7. Relocate cable and elect'l outlets servicing TV. 2 (X)
 Cable & power cords have been extended to make unit functional. Remains unsightly.

Showers 107

General:

11. Texture finished shower ceilings is problematic. Mold/mildew cannot be wiped clean. 3R()
 12. Add mouldings or caulk to cover open joints @ ceilings to masonry walls 1,4()
 13. Confirm operation of "Lady Bug" shower heads. 3 ()

Discussed vandalism and thefts at the marina and the need for additional surveillance cameras. Mr. Post advised that this is in the works; the cameras have been purchased but ran into an installation issue. Materials will cost less than \$500, unsure of labor costs. Mr. Post did note that he does not have access to the surveillance tapes from the inside camera system so he cannot say if the vandals have been identified. Again, this responsibility falls with Bachman.

Back on marina construction issues Mr. Schrock's impression is that we have overpaid tens of thousands of dollars due to the incompetence and mismanagement of City Administration. He would love to have Jon Rose come to a meeting to set the record straight. Jon Rose should not have been the project manager for this project or for future projects. He believes the City is "cooking the books" on this project; not being dishonest but not being accurate on how items are paid for and reported. Ross Spencer again requested monthly reports on revenues and expenditures.

Extensive discussion on requesting additional information on the marina project, up to and possibly including a FOIA request for all records and documents related to the marina project.

MOTION by Schrock, second by Cook, that we as the Harbor Commission request a copy of the marina building construction contract and all related change orders with Cole, Inc. for the marina project. All in favor, motion carried.

Discussion on the marina project and other marina facility maintenance items continued.

MOTION by Schrock, second by Cook, that the Harbor Commission advises City Council that they are concerned that the new marina building has items that are being completed or reconstructed and billed as repairs rather than new construction costs. The Harbor Commission does not believe this is appropriate. Following discussion roll call vote as follows, motion carried.

ROLL CALL VOTE	YEAS	NAYS	ABSTAIN
COMMISSIONER BACHMAN	---	---	---
COMMISSIONER COOK	✓		
COMMISSIONER KRISKYWICZ	✓		
COMMISSIONER SCHROCK	✓		
COMMISSIONER SENG	✓		
COMMISSIONER SPENCER	✓		
COMMISSIONER ZIELINSKI	✓		

Zielinski left at 2:43 p.m.

Chair advised that the agenda items under New Business will be moved to the next agenda and requested that in order to continue discussions on these items that City Manager Mitch Deisch, Harbormaster Dave Bachman, and Jon Rose be asked to be in attendance. City Staff and Harbor Commissioners should anticipate a longer than usual meeting timeframe for these discussions.

PUBLIC COMMENTS

None.

Ross Spencer left the meeting at 2:50 p.m. and asked that Rick Schrock act as Chair for the rest of the meeting.

COMMENTS BY HARBOR COMMISSIONERS

Rick Schrock – Discussed the fact that he had inquired on using the marina open space for a political meeting and was told that a policy had not yet been drafted. Concerned that this is a facility without a purpose and not generating revenue.

ADJOURNMENT

Meeting adjourned at the Call of the Acting Chair at 2:59 p.m.

Respectfully submitted,



Cindy Lokovich, Recording Secretary

- c. Harbor Commission Members
Manistee City Council
City Clerk/Bulletin Board